

ASSEMBLY BILL

No. 1194

**Introduced by Assembly Members Ammiano and V. Manuel Pérez
(Coauthors: Assembly Members Alejo, Levine, and Pan)**

February 22, 2013

An act to amend Section 2333.5 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1194, as introduced, Ammiano. Safe Routes to School Program.

Existing law creates the Safe Routes to School Program, administered by the Department of Transportation in consultation with the Department of the California Highway Patrol. Existing law requires the department to award grants to local government agencies based on the results of a statewide competition, under which proposals submitted for funding are rated based on various factors. Existing law provides for the program to be funded from state and federal funds, as specified.

This bill would require the program to be funded by an annual appropriation in the budget act of not less than \$46,000,000, consisting of federal and state transportation funds eligible to be expended for this purpose. The bill would authorize the transfer of the responsibility for selecting projects and awarding grants from the Department of Transportation to the California Transportation Commission, at the discretion of the Transportation Agency. The bill would also delete references to a superseded federal transportation act.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 2333.5 of the Streets and Highways Code is amended to read:

2333.5. (a) The department, in consultation with the Department of the California Highway Patrol, shall establish and administer a “Safe Routes to School” construction program for construction of bicycle and pedestrian safety and traffic calming projects.

(b) The department shall award grants to local governmental agencies under the program based on the results of a statewide competition that requires submission of proposals for funding and rates those proposals on all of the following factors:

(1) Demonstrated needs of the applicant.

(2) Potential of the proposal for reducing child injuries and fatalities.

(3) Potential of the proposal for encouraging increased walking and bicycling among students.

(4) Identification of safety hazards.

(5) Identification of current and potential walking and bicycling routes to school.

(6) Use of a public participation process, including, but not limited to, a public meeting that satisfies all of the following:

(A) Involves the public, schools, parents, teachers, local agencies, the business community, key professionals, and others.

(B) Identifies community priorities and gathers community input to guide the development of projects included in the proposal.

(C) Ensures that community priorities are reflected in the proposal.

(D) Secures support for the proposal by relevant stakeholders.

(7) Benefit to a low-income school, defined for purposes of this section to mean a school where at least 75 percent of students are eligible to receive free or reduced-price meals under the National School Lunch Program.

~~(e) Any annual budget allocation to fund grants described in subdivision (b) shall be in addition to any federal funding received by the state that is designated for “Safe Routes to School” projects pursuant to Section 1404 of SAFETEA-LU or any similar program funded through a subsequent transportation act.~~

1 (c) *The program shall be funded by an annual appropriation*
2 *in the Budget Act of not less than forty-six million dollars*
3 *(\$46,000,000), consisting of federal and state transportation funds*
4 *eligible to be expended for this purpose.*

5 (d) Any federal funding received by the state that is designated
6 for “Safe Routes to School” projects shall be distributed by the
7 department under the competitive grant process, consistent with
8 all applicable federal requirements.

9 (e) Prior to the award of any construction grant or the
10 department’s use of those funds for a “Safe Routes to School”
11 construction project encompassing a freeway, state highway, or
12 county road, the department shall consult with, and obtain approval
13 from, the Department of the California Highway Patrol, ensuring
14 that the “Safe Routes to School” proposal complements the
15 California Highway Patrol’s Pedestrian Corridor Safety Program
16 and is consistent with its statewide pedestrian safety statistical
17 analysis.

18 (f) The department is encouraged to coordinate with law
19 enforcement agencies’ community policing efforts in establishing
20 and maintaining the “Safe Routes to School” construction program.

21 (g) In the development of guidelines and procedures governing
22 this program, the department shall fully consider the needs of
23 low-income schools.

24 (h) Up to 10 percent of program funds may be used to assist
25 eligible recipients in making infrastructure improvements, other
26 than schoolbus shelters, that create safe routes to schoolbus stops
27 that are located outside the vicinity of schools.

28 (i) *At the discretion of the Transportation Agency, the*
29 *responsibility for selecting projects and awarding grants under*
30 *this section pursuant to the statewide competitive grant process*
31 *may be transferred from the department to the commission.*